

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 627 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

BITTU ALIAS NASIBUDDIN

ZAHIRAHMED SHAIKH

Versus

STATE OF GUJARAT

Appearance:

MR SHAKEEL A QURESHI for Petitioner

PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 04/03/98

ORAL JUDGEMENT

1. Heard the Ld.advocate for petitioner Mr.S.A.Qureshi and Ld.APP Mr.K.T.Dave for respondent. Ld.APP Mr.Dave has fairly stated at Bar that vide earlier order, dated 25.9.97 in Misc.Cr.A No.5082/97 this court has enlarged the co-accused of the petitioner on bnail of Rs.5,000/- and on that amount present petitioner may be

enlarged on bail on same terms and conditions. Hence following order is passed:

2. The petition is allowed. and the petitioner is ordered to be released on bail on his executing a bond of Rs.5,000/- with one surety of the like amount to the satisfaction of the lower court and subject to the conditions that he shall

(a) not take undue advantage of his liberty or abuse his liberty;

(b) not act in a manner injurious to the interest of the prosecution;

(c) maintain law and order;

(d) mark his presence before nearest Police Station on every 1st and 15th day of the English calendar month between 9.00 am and 2.00 p.m.

(e) not leave the local limits of the district Bharuch without the prior permission of the sessions judge at Bharuch.

(f) furnish the address of his residence at the time of execution of the bond and shall not change the residence without prior permission of the court.

(g) not enter into the local limits of Ankleswar town without prior permission of this court but for attending the court in connection with this case he will be free to enter the limits for a period to the extent necessary and will leave the limits thereafter soon after the case is adjourned.

(h) surrender his passport, if any, to the lower court within a week.

3. If breach of any of the above conditions is committed the sessions judge at Bharuch will be free to issue warrant or take appropriate action in the matter.

Rule is made absolute. Direct service permitted.

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